STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES

M.S.,

PETITIONER,

ADMINISTRATIVE ACTION

٧.

FINAL AGENCY DECISION

OAL DKT. NO. HMA 7267-14

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

OCEAN COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision is March 16, 2015 in accordance with N.J.S.A. 52:14B-10, which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on January 30, 2015.

This appeal stems from the imposition of a penalty period based upon a

transfer of assets. By Stipulation of Settlement filed with the OAL, the parties

agreed to amicably resolve this controversy whereby the Ocean County Board of

Social Services agreed that the transfer penalty should be reduced and that

Petitioner is otherwise eligible for benefits effective February 1, 2014 subject to

16 day transfer penalty.

The ALJ approved the Settlement Agreement because it was consistent

with the law, fully disposed of all issues in controversy and was voluntarily

entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

I agree with the ALJ's conclusions regarding the Settlement Agreement

and ADOPT the Initial Decision as based upon substantial credible evidence and

consistent with applicable law.

THEREFORE, it is on this Harry of MARCH 2015,

ORDERED:

That the Initial Decision approving the Settlement Agreement in this matter

is hereby ADOPTED.

Valerie J. Harr, Director

Division of Medical Assistance

and Health Services